



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 03/04/2011 (Per: CMH)

A ☞ The 2011 drafting file for LRB-0805

B ☞ The 2011 drafting file for LRB-0808

C ☞ The 2011 drafting file for LRB-1059

D ☞ The 2011 drafting file for LRB-1369

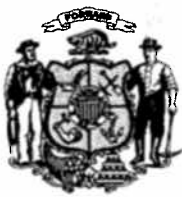
☞ Compile Draft – Appendix A ... segment II

has been tranfered to the drafting file for

2011 LRB-1465*

* One of the compile drafts used in the creation of AB 40 & SB 27 (2011 Budget Bill)

DT: 5
5



1m: 2/7/11
State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0805/P1
CTS:nwn:rs

P2

KWNR

DOA:.....Hoechst, BB0169 - Transfer housing assistance from Commerce to WHEDA

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

1

don't gen.
AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT

COMMERCE

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

Because this bill directly or substantially affects the development, construction, cost or availability of housing in this state, the Department of Commerce, as required by law, will prepare a report to be printed as an appendix to this bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

****NOTE: This draft assumes that LRB-0624/3, or a substantially similar proposal, will be enacted. If that does not occur, or if LRB-0624 is substantially modified before or after introduction, this draft may need to be revised.

1 **SECTION 1.** 13.099 (1) (b) of the statutes is amended to read:

2 13.099 (1) (b) "State housing strategy plan" means the plan developed under
3 s. ~~560.9802~~ 234.5602.

4 **SECTION 2.** 13.099 (3) (a) 5. of the statutes is amended to read:

5 13.099 (3) (a) 5. Housing costs, as defined in s. ~~560.9801~~ 234.5601 (3) (a) and
6 (b).

7 **SECTION 3.** 16.40 (24) of the statutes is created to read:

8 16.40 (24) Ensure performance of a duty or satisfaction of an obligation
9 transferred to the Wisconsin Housing and Economic Development Authority under
10 2011 Wisconsin Act (this act), section 9110 (1), if the Wisconsin Housing and
11 Economic Development Authority fails to perform the duty or satisfy the obligation.

 ****NOTE: The section above requires DOA to perform a duty or satisfy an obligation
transferred in this draft from Commerce to WHEDA, if WHEDA fails to perform the duty
or satisfy the obligation. Is this okay?

12 **SECTION 4.** 20.143 (2) (a) of the statutes is renumbered 20.490 (7) (a) and
13 amended to read:

14 20.490 (7) (a) *General program operations.* The amounts in the schedule for
15 general program operations under ~~subch. X of ch. 560~~ ss. 234.5601 to 234.5615.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

16 **SECTION 5.** 20.143 (2) (b) of the statutes is renumbered 20.490 (7) (b) and
17 amended to read:

18 20.490 (7) (b) *Housing grants and loans; general purpose revenue.* Biennially,
19 the amounts in the schedule for grants and loans under s. ~~560.9803~~, 234.5603 and
20 for grants under s. ~~560.9805~~ and 2009 Wisconsin Act 28, section 9110 (12u), and for
21 the grant under 2009 Wisconsin Act 2, section 9110 (1) 234.5605.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 6.** 20.143 (2) (c) of the statutes is renumbered 20.490 (7) (c) and
2 amended to read:

3 20.490 (7) (c) *Payments to designated agents.* The amounts in the schedule for
4 payments for services provided by agents designated under s. ~~560.9804~~ 234.5604 (2),
5 in accordance with agreements entered into under s. ~~560.9804~~ 234.5604 (1).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 7.** 20.143 (2) (fm) of the statutes is renumbered 20.490 (7) (fm) and
7 amended to read:

8 20.490 (7) (fm) *Shelter for homeless and transitional housing grants.*
9 Biennially, the amounts in the schedule for transitional housing grants under s.
10 ~~560.9806~~ 234.5606 and for grants to agencies and shelter facilities for homeless
11 individuals and families as provided under s. ~~560.9808~~ 234.5608. Notwithstanding
12 ss. 20.001 (3) (a) and 20.002 (1), the ~~department~~ authority may transfer funds
13 between fiscal years under this paragraph.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14 **SECTION 8.** 20.143 (2) (fr) of the statutes is renumbered 20.490 (7) (fr) and
15 amended to read:

16 20.490 (7) (fr) *Mental health for homeless individuals.* The amounts in the
17 schedule for mental health services for homeless individuals under s. ~~560.9811~~
18 234.5611.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

19 **SECTION 9.** 20.143 (2) (gg) of the statutes is renumbered 20.490 (7) (gg).

→ NOTE: BUD

1 **SECTION 10.** 20.143 (2) (h) of the statutes is renumbered 20.490 (7) (h) and
2 amended to read:

3 20.490 (7) (h) *Funding for the homeless.* All moneys received from interest on
4 real estate trust accounts under s. 452.13 for grants under s. ~~560.9807~~ 234.5607, and
5 all moneys received under s. 704.05 (5) (a) 2., for grants to agencies and shelter
6 facilities for homeless individuals and families under s. ~~560.9808~~ 234.5608 (2) (a) and
7 (b).

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 11.** 20.143 (2) (k) of the statutes is renumbered 20.490 (7) (k) and
9 amended to read:

10 20.490 (7) (k) *Sale of materials or services.* All moneys received from the sale
11 of materials or services related to housing assistance under subch. ~~X~~ of ch. ~~560~~ ss.
12 234.5601 to 234.5615 to the ~~department~~ authority or ~~other~~ to state agencies, for the
13 purpose of providing those materials and services.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

14 **SECTION 12.** 20.143 (2) (kg) of the statutes is renumbered 20.490 (7) (kg) and
15 amended to read:

16 20.490 (7) (kg) *Housing program services.* All moneys received from ~~other~~ state
17 agencies for housing program services, for the purpose of providing housing program
18 services.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

19 **SECTION 13.** 20.143 (2) (m) of the statutes is renumbered 20.490 (7) (m) and
20 amended to read:

1 20.490 (7) (m) *Federal aid; state operations.* All moneys received from the
2 federal government for state operations related to housing assistance under ~~subch.~~
3 ~~X of ch. 560 ss. 234.5601 to 234.5615~~, as authorized by the governor under s. 16.54,
4 for the purposes of state operations.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

 ****NOTE: Does federal law pose any obstacle to the transfer of the above appropriation to WHEDA?

5 **SECTION 14.** 20.143 (2) (n) of the statutes is renumbered 20.490 (7) (n) and
6 amended to read:

7 20.490 (7) (n) *Federal aid; local assistance.* All moneys received from the
8 federal government for local assistance related to housing assistance under ~~subch.~~
9 ~~X of ch. 560 ss. 234.5601 to 234.5615~~, as authorized by the governor under s. 16.54,
10 for the purposes of providing local assistance.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

 ****NOTE: Does federal law pose any obstacle to the transfer of the above appropriation to WHEDA?

11 **SECTION 15.** 20.143 (2) (o) of the statutes is renumbered 20.490 (7) (o) and
12 amended to read:

13 20.490 (7) (o) *Federal aid; individuals and organizations.* All moneys received
14 from the federal government for aids to individuals and organizations related to
15 housing assistance under ~~subch. X of ch. 560 ss. 234.5601 to 234.5615~~, as authorized
16 by the governor under s. 16.54, for the purpose of providing aids to individuals and
17 organizations.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

 ****NOTE: Does federal law pose any obstacle to the transfer of the above appropriation to WHEDA?

18 **SECTION 16.** 20.490 (7) (title) of the statutes is created to read:

1 20.490 (7) (title) HOUSING ASSISTANCE.

2 **SECTION 17.** 23.15 (1) of the statutes is amended to read:

3 23.15 (1) The natural resources board may sell, at public or private sale, lands
4 and structures owned by the state under the jurisdiction of the department of natural
5 resources, except central or district office facilities, when the natural resources board
6 determines that ~~said~~ the lands are no longer necessary for the state's use for
7 conservation purposes and, if real property, the real property is not the subject of a
8 petition under s. ~~560.9810~~ 234.5610 (2).

9 **SECTION 18.** 50.01 (1g) (c) of the statutes is amended to read:

10 50.01 (1g) (c) A shelter facility as defined under s. ~~560.9808~~ 234.5608 (1) (d).

11 **SECTION 19.** 51.35 (5) of the statutes is amended to read:

12 51.35 (5) RESIDENTIAL LIVING ARRANGEMENTS; TRANSITIONARY SERVICES. The
13 department and any person, director, or board authorized to discharge or transfer
14 patients under this section shall ensure that a proper residential living arrangement
15 and the necessary transitionary services are available and provided for the patient
16 being discharged or transferred. Under this subsection, a proper residential living
17 arrangement may not include a shelter facility, as defined under s. ~~560.9808~~
18 234.5608 (1) (d), unless the discharge or transfer to the shelter facility is made on an
19 emergency basis for a period not to exceed 10 days.

20 **SECTION 20.** 84.09 (5) (a) of the statutes is amended to read:

21 84.09 (5) (a) Subject to pars. (b) and (c) and to the approval of the governor, the
22 department may sell at public or private sale property of whatever nature owned by
23 the state and under the jurisdiction of the department when the department
24 determines that the property is no longer necessary for the state's use for
25 transportation purposes and, if real property, the real property is not the subject of

1 a petition under s. ~~560.9810~~ 234.5610 (2). The department shall present to the
2 governor a full and complete report of the property to be sold, the reason for the sale,
3 and the minimum price for which the same should be sold, together with an
4 application for the governor's approval of the sale. The governor shall thereupon
5 make such investigation as he or she may deem necessary and approve or disapprove
6 the application. Upon such approval and receipt of the full purchase price, the
7 department shall by appropriate deed or other instrument transfer the property to
8 the purchaser. The approval of the governor is not required for public or private sale
9 of property having an appraised value at the time of sale of not more than \$15,000,
10 for the transfer of surplus state real property to the department of administration
11 under s. ~~560.9810~~ 234.5610, or for the transfer of surplus state personal property to
12 the department of tourism under sub. (5s). The funds derived from sales under this
13 subsection shall be deposited in the transportation fund, and the expense incurred
14 by the department in connection with the sale shall be paid from such fund.

15 **SECTION 21.** 84.09 (5) (b) of the statutes is amended to read:

16 84.09 (5) (b) Subject to the approval of the governor in the manner, scope, and
17 form specified in par. (a), with respect to the sale of property acquired by the
18 department for a project that is completed after May 25, 2006, the department shall,
19 and with respect to the sale of property acquired by the department for a project that
20 is completed before May 25, 2006, the department may offer for sale or transfer
21 ownership of the property that the department determines is no longer necessary for
22 the state's use for transportation purposes, if the property is not the subject of a
23 petition under s. ~~560.9810~~ 234.5610 (2). This disposition process shall take place
24 within 24 months of the completion of the transportation project for which the
25 property was acquired. Except as provided in par. (c) 3., the department shall offer

1 limited and general marketable properties at appraised value, as determined by a
2 state-certified or licensed appraiser, for not less than 12 months. If the department
3 does not sell the property at or above its appraised value, the department shall offer
4 the property for sale by means of sealed bids or public auction. For the purposes of
5 this paragraph, a project is completed when final payment is made under the
6 contract for the project.

7 **SECTION 22.** 84.09 (5r) of the statutes is amended to read:

8 84.09 (5r) In lieu of the sale or conveyance of property under sub. (5) or (5m),
9 the department may, subject to the approval of the governor, donate real property
10 that is adjacent to the veterans memorial site located at The Highground in Clark
11 County and owned by the state and under the jurisdiction of the department to the
12 Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans
13 memorial site located at The Highground in Clark County for the purpose of a
14 memorial hall specified in s. 70.11 (9). The department may donate property under
15 this subsection only when the department determines that the property is no longer
16 necessary for the state's use for transportation purposes and is not the subject of a
17 petition under s. ~~560.9810~~ 234.5610 (2) and is transferred with a restriction that the
18 donee may not subsequently transfer the real property to any person except to this
19 state, which shall not be charged for any improvements thereon. Such restriction
20 shall be recorded in the office of the register of deeds in the county in which the
21 property is located. The department shall present to the governor a full and complete
22 report of the property to be donated, the reason for the donation, and the minimum
23 price for which the property could likely be sold under sub. (5), together with an
24 application for the governor's approval of the donation. The governor shall
25 thereupon make such investigation as he or she considers necessary and approve or

1 disapprove the application. Upon such approval, the department shall by
2 appropriate deed or other instrument transfer the property to the donee. The
3 approval of the governor is not required for donation of property having an appraised
4 value at the time of donation of not more than \$15,000. Any expense incurred by the
5 department in connection with the donation shall be paid from the transportation
6 fund.

7 **SECTION 23.** 85.09 (4i) of the statutes is amended to read:

8 85.09 (4i) DISPOSAL OF RAIL PROPERTY. The department shall sell at public or
9 private sale rail property acquired under sub. (4) when the department determines
10 that the rail property is not necessary for a public purpose and, if real property, the
11 real property is not the subject of a petition under s. ~~560.9810~~ 234.5610 (2). Upon
12 receipt of the full purchase price, the department shall, by appropriate deed or other
13 instrument, transfer the rail property to the purchaser. The funds derived from sales
14 under this subsection shall be deposited in the transportation fund, and the expense
15 incurred by the department in connection with the sale shall be paid from the
16 appropriation under s. 20.395 (2) (bq). This subsection does not apply to real
17 property that is sold under s. 16.848.

18 **SECTION 24.** 114.33 (10) of the statutes is amended to read:

19 114.33 (10) Subject to the approval of the governor under this subsection, the
20 secretary may sell at public or private sale property of whatever nature owned by the
21 state and under the jurisdiction of the secretary when the secretary determines that
22 the property is no longer necessary for the state's use for airport purposes and, if real
23 property, the real property is not the subject of a petition under s. ~~560.9810~~ 234.5610.
24 The secretary shall present to the governor a full and complete report of the property
25 to be sold, the reason for the sale, and the minimum price for which the property

1 should be sold, together with an application for the governor's approval of the sale.
2 The governor shall investigate the proposed sale as he or she deems necessary and
3 approve or disapprove the application. Upon approval and receipt of the full
4 purchase price, the secretary shall by appropriate deed or other instrument transfer
5 the property to the purchaser. The funds derived from the sale shall be deposited in
6 the appropriate airport fund, and the expense incurred by the secretary in
7 connection with the sale shall be paid from that fund. This subsection does not apply
8 to real property that is sold under s. 16.848.

9 **SECTION 25.** 196.491 (2) (e) of the statutes is amended to read:

10 196.491 (2) (e) Any state agency, as defined in s. ~~560.9810~~ 234.5610 (1), county,
11 municipality, town, or person may submit written comments to the commission on
12 a strategic energy assessment within 90 days after copies of the draft are issued
13 under par. (b).

14 **SECTION 26.** 227.115 (1) (b) of the statutes is amended to read:

15 227.115 (1) (b) "State housing strategy plan" means the plan developed under
16 s. ~~560.9802~~ 234.5602.

17 **SECTION 27.** 227.115 (3) (a) 5. of the statutes is amended to read:

18 227.115 (3) (a) 5. Housing costs, as defined in s. ~~560.9801~~ 234.5601 (3) (a) and
19 (b).

20 **SECTION 28.** 234.034 of the statutes is amended to read:

21 **234.034 Consistency with state housing strategy plan.** Subject to
22 agreements with bondholders or noteholders, the authority shall exercise its powers
23 and perform its duties related to housing consistent with the state housing strategy
24 plan under s. ~~560.9802~~ 234.5602.

25 **SECTION 29.** 234.06 (1) of the statutes is amended to read:

1 234.06 (1) The authority may, as authorized in the state housing strategy plan
2 under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund
3 to make temporary loans to eligible sponsors, with or without interest, and with such
4 security for repayment, if any, as the authority determines reasonably necessary and
5 practicable, solely from the housing development fund, to defray development costs
6 for the construction of proposed housing projects for occupancy by persons and
7 families of low and moderate income. No temporary loan may be made unless the
8 authority may reasonably anticipate that satisfactory financing may be obtained by
9 the eligible sponsor for the permanent financing of the housing project.

10 **SECTION 30.** 234.06 (3) of the statutes is amended to read:

11 234.06 (3) The authority may, as authorized in the state housing strategy plan
12 under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund
13 to establish and administer programs of grants to counties, municipalities, and
14 eligible sponsors of housing projects for persons of low and moderate income, to pay
15 organizational expenses, administrative costs, social services, technical services,
16 training expenses, or costs incurred or expected to be incurred by counties,
17 municipalities, or sponsors for land and building acquisition, construction,
18 improvements, renewal, rehabilitation, relocation, or conservation under a plan to
19 provide housing or related facilities, if the costs are not reimbursable from other
20 private or public loan, grant, or mortgage sources.

21 **SECTION 31.** 234.165 (2) (b) 2. of the statutes is amended to read:

22 234.165 (2) (b) 2. Annually before August 31 the authority shall submit to the
23 governor a plan for expending or encumbering the actual surplus reported under
24 subd. 1. The part of the plan related to housing shall be consistent with the state
25 housing strategy plan under s. ~~560.9802~~ 234.5602. The plan submitted under this

subdivision may be attached to and submitted as a part of the report filed under subd. 1.

SECTION 32. 234.25 (1) (e) of the statutes is amended to read:

234.25 (1) (e) An evaluation of its progress in implementing within its own housing programs the goals, policies, and objectives of the state housing strategy plan under s. ~~560.9802~~ 234.5602, and recommendations for legislation to improve its ability to carry out its programs consistent with the state housing strategy plan.

SECTION 33. 256.35 (3m) (h) of the statutes is amended to read:

256.35 (3m) (h) *Other charges prohibited.* No local government or state agency, as defined in s. ~~560.9810~~ 234.5610 (1), except the commission, may require a wireless provider to collect or pay a surcharge or fee related to wireless emergency telephone service.

SECTION 34. 452.13 (2) (b) 3. of the statutes is amended to read:

452.13 (2) (b) 3. Furnish the department of regulation and licensing with a letter authorizing the department of regulation and licensing and the ~~department of commerce~~ Wisconsin Housing and Economic Development Authority to examine and audit the interest-bearing common trust account whenever the department of regulation and licensing or the ~~department of commerce~~ Wisconsin Housing and Economic Development Authority considers it necessary.

****NOTE: The above section transfers from Commerce to WHEDA the authority to examine and audit real estate brokers' interest-bearing trust accounts. Is this okay, or should the examination/audit authority be limited to the successor to DRL? Also note that the Department of Regulation and Licensing name-change is included in a separate bill draft; when the drafts are compiled, we will at that point resolve any inconsistencies.

SECTION 35. 452.13 (2) (bm) of the statutes is amended to read:

1 452.13 (2) (bm) The department of regulation and licensing shall forward to the
2 ~~department of commerce~~ Wisconsin Housing and Economic Development Authority
3 the information and documents furnished under par. (b).

4 **SECTION 36.** 452.13 (2) (d) of the statutes is amended to read:

5 452.13 (2) (d) The ~~department of commerce~~ Wisconsin Housing and Economic
6 Development Authority is the beneficial owner of the interest accruing to the
7 interest-bearing common trust account, minus any service charges or fees.

8 **SECTION 37.** 452.13 (2) (e) 1. of the statutes is amended to read:

9 452.13 (2) (e) 1. Annually, before February 1, remit to the ~~department of~~
10 ~~commerce~~ Wisconsin Housing and Economic Development Authority the total
11 interest or dividends, minus service charges or fees, earned on the average daily
12 balance in the interest-bearing common trust account during the 12 months ending
13 on the previous December 31. A depository institution is not required to remit any
14 amount if the total interest or dividends for that period is less than \$10 before any
15 deduction for service charges or fees.

16 **SECTION 38.** 452.13 (2) (e) 2. of the statutes is amended to read:

17 452.13 (2) (e) 2. When the interest remittance is sent, furnish to the
18 ~~department of commerce~~ Wisconsin Housing and Economic Development Authority
19 and to the broker maintaining the interest-bearing common trust account a
20 statement that includes the name of the broker for whose account the remittance is
21 made, the rate of interest applied, the amount of service charges or fees deducted,
22 if any, and the account balance for the period that the statement covers.

23 **SECTION 39.** 452.13 (2) (f) 2. of the statutes is amended to read:

1 452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing
2 common trust account against the ~~department of commerce~~ Wisconsin Housing and
3 Economic Development Authority.

4 SECTION 40. 452.13 (2) (f) 3. of the statutes is amended to read:

5 452.13 (2) (f) 3. May deduct a service charge or fee from the interest earned by
6 an interest-bearing common trust account, and if a balance remains, may deduct the
7 remaining charge or fee from the interest earned on any other interest-bearing
8 common trust account maintained in that depository institution, before remitting
9 interest to the ~~department of commerce~~ Wisconsin Housing and Economic
10 Development Authority.

11 SECTION 41. 452.13 (5) of the statutes is amended to read:

12 452.13 (5) RULES. In consultation with the ~~department of regulation and~~
13 ~~licensing, the department of commerce~~ Wisconsin Housing and Economic
14 Development Authority, the department of regulation and licensing shall
15 promulgate rules necessary to administer this section.

safety and
professional
services ✓

→ ****NOTE: Because WHEDA, as an authority, may not promulgate rules, the above
section transfers rule-making authority to the Department of Regulation and Licensing,
which must consult with WHEDA. Is this okay? Also, note that the Department of
Regulation and Licensing name-change is included in a separate bill draft; when the
drafts are compiled, we will at that point resolve any inconsistencies.

Safety and
Professional Services ✓

16 SECTION 42. 560.285 (3) of the statutes is amended to read:

17 560.285 (3) ADMINISTRATION. The department shall contract with one or more
18 entities that are exempt from taxation under section 501 (a) of the Internal Revenue
19 Code and that employ individuals with technical expertise concerning manufactured
20 housing for the administration of the grant program under this section. The
21 department shall promulgate rules to establish the grant program under this

1 section. To the extent feasible, the department shall coordinate the program under
2 this section with the state housing strategy plan under s. 560.9802 234.5602.

3 **SECTION 43.** Subchapter X (title) of chapter 560 [precedes 560.9801] of the
4 statutes is repealed.

5 **SECTION 44.** 560.9801 of the statutes is renumbered 234.5601, and 234.5601
6 (2) (a), as renumbered, is amended to read:

7 234.5601 (2) (a) A housing authority organized under s. 59.53 (22), 61.73,
8 66.1201, or 66.1213 or ~~ch. 234~~ this chapter.

9 **SECTION 45.** 560.9802 of the statutes is renumbered 234.5602, and 234.5602
10 (1) (a) and (b), (3) and (4), as renumbered, are amended to read:

11 234.5602 (1) (a) The ~~department~~ authority shall prepare a comprehensive
12 5-year state housing strategy plan. The ~~department~~ authority shall submit the plan
13 to the federal department of housing and urban development.

14 (b) In preparing the plan, the ~~department~~ authority may obtain input from
15 housing authorities, community-based organizations, the private housing industry
16 and others interested in housing assistance and development.

17 (3) The ~~department~~ authority shall annually update the state housing strategy
18 plan.

19 (4) Before October 1 of each year, the ~~department~~ authority shall submit the
20 state housing strategy plan to the governor and to the chief clerk of each house of the
21 legislature for distribution to the legislature under s. 13.172 (2).

22 **SECTION 46.** 560.9803 of the statutes is renumbered 234.5603, and 234.5603
23 (1) (intro.) and (a), (2) (intro.) and (e) 7. and (3), as renumbered, are amended to read:

24 234.5603 (1) (intro.) The ~~department~~ authority shall do all of the following:

1 (a) Subject to sub. (2), make grants or loans, directly or through agents
2 designated under s. ~~560.9804~~ 234.5604, from the appropriation under s. ~~20.143 (2)~~
3 20.490 (7) (b) to persons or families of low or moderate income to defray housing costs
4 of the person or family.

5 (2) (intro.) In connection with grants and loans under sub. (1), the ~~department~~
6 authority shall do all of the following:

7 (e) 7. Other persons or families that the ~~department~~ authority determines have
8 particularly severe housing problems.

9 (3) (a) The ~~department~~ authority may make grants or loans under sub. (1) (a)
10 directly or through agents designated under s. ~~560.9804~~ 234.5604.

11 (b) The ~~department~~ authority may administer and disburse funds from a grant
12 or loan under sub. (1) (a) on behalf of the recipient of the grant or loan.

13 **SECTION 47.** ~~560.9804~~ of the statutes is renumbered 234.5604, and 234.5604
14 (1) and (2) (intro.), as renumbered, are amended to read:

15 234.5604 (1) The ~~department~~ authority may enter into an agreement with an
16 agent designated under sub. (2) to allow the designated agent to do any of the
17 following:

18 (a) Award grants and loans under s. ~~560.9803~~ 234.5603 (1) and (2) subject to
19 the approval of the ~~department~~ authority.

20 (b) Disburse the funds for grants and loans to persons or families of low or
21 moderate income on terms approved by the ~~department~~ authority.

22 (c) On terms approved by the ~~department~~ authority, administer and disburse
23 funds from a grant or loan under s. ~~560.9803~~ 234.5603 on behalf of the recipient of
24 the grant or loan.

1 (2) (intro.) The ~~department~~ authority may designate any of the following as
2 agents:

3 **SECTION 48.** 560.9805 of the statutes is renumbered 234.5605, and 234.5605
4 (1) (intro.), (2) (intro.) and (c) (intro.) and (4), as renumbered, are amended to read:

5 234.5605 (1) (intro.) The ~~department~~ authority may make grants to a
6 community-based organization, organization operated for profit, or housing
7 authority to improve the ability of the community-based organization, organization
8 operated for profit, or housing authority to provide housing opportunities, including
9 housing-related counseling services, for persons or families of low or moderate
10 income. The grants may be used to partially defray any of the following:

11 (2) (intro.) The ~~department~~ authority may not make a grant under sub. (1)
12 unless all of the following apply:

13 (c) (intro.) The ~~department~~ authority determines that the grant to the
14 particular community-based organization, organization operated for profit, or
15 housing authority is appropriate because of any of the following:

16 (4) To ensure the development of housing opportunities, the ~~department~~
17 authority shall coordinate the use of grants provided under this section with projects
18 undertaken by housing authorities, organizations operated for profit, and
19 community-based organizations.

20 **SECTION 49.** 560.9806 (1), (2) and (3) of the statutes are renumbered 234.5606
21 (1), (2) and (3), and 234.5606 (2) (a) and (3) (intro.) and (d), as renumbered, are
22 amended to read:

23 234.5606 (2) (a) From the appropriation under s. ~~20.143(2)~~ 20.490(7) (fm), the
24 ~~department~~ authority may award a grant to an eligible applicant for the purpose of
25 providing transitional housing and associated supportive services to homeless

1 individuals and families if the conditions under par. (b) are satisfied. The
2 ~~department~~ authority shall ensure that the funds for the grants are reasonably
3 balanced among geographic areas of the state, consistent with the quality of
4 applications submitted.

5 (3) (intro.) Each recipient of a grant under this section shall annually provide
6 all of the following information to the ~~department~~ authority:

7 (d) Any other information that the ~~department~~ authority determines to be
8 necessary to evaluate the effectiveness of the transitional housing program operated
9 by the recipient.

10 **SECTION 50.** 560.9806 (4) of the statutes is repealed.

****NOTE: The above section repeals, rather than rennumbers, a requirement that
Commerce submit a specified report before July 1, 1993.

11 **SECTION 51.** 560.9807 of the statutes is renumbered 234.5607 and amended to
12 read:

13 **234.5607 Grants to alleviate homelessness.** (1) GRANTS. From moneys
14 available under s. ~~20.143~~ (2) 20.490 (7) (h), the ~~department~~ authority shall make
15 grants to organizations, including organizations operated for profit, that provide
16 shelter or services to homeless individuals or families.

17 (2) SUPPLEMENTAL FUNDS. The ~~department~~ authority shall ensure that grants
18 awarded under sub. (1) are not used to supplant other state funds available for
19 homelessness prevention or services to homeless individuals or families.

20 (2m) REPORT. Annually, the ~~department~~ authority shall submit a report to the
21 speaker of the assembly, the president of the senate and to the appropriate standing
22 committees under s. 13.172 (3) that summarizes how much money was received in
23 the previous year and how that money was distributed.

1 (3) RULES. The ~~department~~ authority shall ~~promulgate~~ adopt rules
2 establishing procedures and eligibility criteria for grants under this section.

3 **SECTION 52.** 560.9808 of the statutes is renumbered 234.5608, and 234.5608
4 (2) (a) and (b) (intro.), (3) (b), (3m), (4) (intro.) and (5) (intro.), as renumbered, are
5 amended to read:

6 234.5608 (2) (a) From the appropriations under s. ~~20.143 (2)~~ 20.490 (7) (fm) and
7 (h), the ~~department~~ authority shall award grants to eligible applicants for the
8 purpose of supplementing the operating budgets of agencies and shelter facilities
9 that have or anticipate a need for additional funding because of the renovation or
10 expansion of an existing shelter facility, the development of an existing building into
11 a shelter facility, the expansion of shelter services for homeless persons, or an
12 inability to obtain adequate funding to continue the provision of an existing level of
13 services.

14 (b) (intro.) The ~~department~~ authority shall allocate funds from the
15 appropriations under s. ~~20.143 (2)~~ 20.490 (7) (fm) and (h) for temporary shelter for
16 homeless individuals and families as follows:

17 (3) (b) Applications shall be submitted in the form required by the ~~department~~
18 authority and shall be accompanied by the current or proposed operating budget or
19 both, as required by the ~~department~~ authority, of each shelter facility or agency
20 ~~which that~~ will, directly or indirectly, receive any of the grant money, and an
21 explanation of why the shelter facility or agency has or anticipates a need for
22 additional funding.

23 (3m) GRANT ELIGIBILITY. In awarding grants under this section, the ~~department~~
24 authority shall consider whether the community in which an eligible applicant

1 provides services has a coordinated system of services for homeless individuals and
2 families.

3 (4) (intro.) ~~RULE MAKING~~ RULES REQUIRED. The ~~department~~ authority shall
4 ~~promulgate by rule~~ adopt rules establishing both of the following:

5 (5) (intro.) PROHIBITED USES. The ~~department~~ authority may not provide a grant
6 for any of the following purposes:

7 **SECTION 53.** 560.9809 of the statutes is renumbered 234.5609, and 234.5609
8 (1), (2) and (3) (intro.), as renumbered, are amended to read:

9 234.5609 (1) The ~~department~~ authority may administer housing programs,
10 including the housing improvement grant program and the initial rehabilitation
11 grant program, that are funded by a community development block grant, 42 USC
12 5301 to 5320.

****NOTE: Does the above authorization, involving federal block grant funding,
make sense if transferred to WHEDA?

13 (2) The ~~department~~ authority may ~~promulgate~~ adopt rules to administer this
14 section.

15 (3) (intro.) Notwithstanding sub. (2), the ~~department~~ authority shall
16 ~~promulgate~~ adopt rules that specify that an applicant for funds under a program
17 under this section shall be eligible to receive funds under the program in the year
18 following the year for which the applicant submits an application, without having to
19 submit another application for that following year, if all of the following apply:

20 **SECTION 54.** 560.9810 (1), (2), (3) and (4) of the statutes are renumbered
21 234.5610 (1), (2), (3) and (4), and 234.5610 (2), (3) and (4), as renumbered, are
22 amended to read:

1 234.5610 (2) TRANSFER OF REAL PROPERTY TO THE ~~DEPARTMENT~~ AUTHORITY. (a) The
2 ~~department~~ authority shall petition the head of any state agency having jurisdiction
3 over real property that the ~~department~~ authority determines to be suitable for
4 surplus.

5 (b) The head of the state agency having jurisdiction over the real property shall
6 notify the ~~department~~ authority in writing whether or not the state agency considers
7 the real property to be surplus.

8 (c) If the state agency considers the real property to be surplus, and if the
9 ~~department~~ authority determines that the real property is suitable by, the state
10 agency shall transfer the real property, without payment, to the ~~department~~
11 authority for purposes of transfer to an applicant under sub. (3).

12 (3) TRANSFER OF REAL PROPERTY. The ~~department~~ authority may transfer real
13 property obtained under sub. (2) to an applicant under a written agreement that
14 includes a provision that the applicant agrees to pay the department an amount to
15 utilize the real property in conformance with the agreement.

16 (4) RECORDING. The ~~department~~ authority shall record the agreement under
17 sub. (3) in the office of the register of deeds for the county in which the real property
18 subject to the agreement is located.

 ****NOTE: Should the above provisions be retained? Is the transfer of surplus state
property to an authority permitted under current law?

19 **SECTION 55.** 560.9810 (5) of the statutes is repealed.

 ****NOTE: The above section repeals, rather than renumbers, an exemption that
applies to state property that DOA has determined it is in the state's best interest to be
sold. Should the exemption be retained or modified instead?

20 **SECTION 56.** 560.9811 of the statutes is renumbered 234.5611, and 234.5611 (2),
21 as renumbered, is amended to read:

1 234.5611 (2) From the appropriation under s. ~~20.143 (2)~~ 20.490 (7) (fr), the
2 ~~department authority~~ may not award more than \$45,000 in each fiscal year to
3 applying public or nonprofit private entities for the costs of providing certain mental
4 health services to homeless individuals with serious and persistent mental illness.
5 Entities that receive funds awarded by the ~~department authority~~ under this
6 subsection shall provide the mental health services required under 42 USC
7 290cc-24. The amount that the ~~department authority~~ awards to an applying entity
8 may not exceed 50% of the amount of matching funds required under 42 USC
9 290cc-23.

 ****NOTE: Does federal law pose any obstacle to the transfer of the above
requirement to WHEDA?

10 **SECTION 57.** 560.9815 of the statutes is renumbered 234.5615 and amended to
11 read:

12 **234.5615 Federal housing assistance programs.** Notwithstanding s. 16.54
13 (2) (a), the ~~department authority~~ shall administer federal funds made available to
14 this state under the Stewart B. McKinney homeless assistance act housing
15 assistance programs, 42 USC 11361 to 11402.

 ****NOTE: Does federal law pose any obstacle to the transfer of the above
requirement to WHEDA?

16 **SECTION 58.** 704.05 (5) (a) 2. of the statutes is amended to read:

17 704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail
18 addressed to the tenant's last-known address, of the landlord's intent to dispose of
19 the personal property by sale or other appropriate means if the property is not
20 repossessed by the tenant. If the tenant fails to repossess the property within 30 days
21 after the date of personal service or the date of the mailing of the notice, the landlord
22 may dispose of the property by private or public sale or any other appropriate means.

1 The landlord may deduct from the proceeds of sale any costs of sale and any storage
2 charges if the landlord has first stored the personalty under subd. 1. If the proceeds
3 minus the costs of sale and minus any storage charges are not claimed within 60 days
4 after the date of the sale of the personalty, the landlord is not accountable to the
5 tenant for any of the proceeds of the sale or the value of the property. The landlord
6 shall send the proceeds of the sale minus the costs of the sale and minus any storage
7 charges to the department of administration for deposit in the appropriation under
8 s. ~~20.143 (2)~~ 20.490 (7) (h).

9 **SECTION 59.** 961.01 (20g) of the statutes is amended to read:

10 961.01 (20g) "Public housing project" means any housing project or
11 development administered by a housing authority, as defined in s. ~~560.9801~~ 234.5601
12 (2).

13 **SECTION 9110. Nonstatutory provisions; Commerce.**

14 (1) HOUSING ASSISTANCE TRANSFER.

15 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
16 liabilities of the department of commerce primarily related to the functions of the
17 department under subchapter X of chapter 560, 2009 stats., as determined by the
18 secretary of administration, shall become the assets and liabilities of the Wisconsin
19 Housing and Economic Development Authority.

20 (b) *Tangible personal property.* On the effective date of this paragraph, all
21 tangible personal property, including records, of the department of commerce that
22 is primarily related to the functions of the department under subchapter X of chapter
23 560, 2009 stats., as determined by the secretary of administration, is transferred to
24 the Wisconsin Housing and Economic Development Authority.

(c) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, remain in effect and are transferred to the Wisconsin Housing and Economic Development Authority. The Wisconsin Housing and Economic Development Authority shall carry out any obligations under such a contract until the contract is modified or rescinded by the Wisconsin Housing and Economic Development Authority to the extent allowed under the contract.

(END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0805/P2
CTS:nwn:rs

DOA:.....Hoechst, BB0169 - Transfer housing assistance from Commerce to
WHEDA

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT

COMMERCE

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

Because this bill directly or substantially affects the development, construction, cost or availability of housing in this state, the Department of Commerce, as required by law, will prepare a report to be printed as an appendix to this bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 13.099 (1) (b) of the statutes is amended to read:

3 13.099 (1) (b) "State housing strategy plan" means the plan developed under

4 s. ~~560.9802~~ 234.5602.

1 **SECTION 2.** 13.099 (3) (a) 5. of the statutes is amended to read:

2 13.099 **(3)** (a) 5. Housing costs, as defined in s. ~~560.9801~~ 234.5601 (3) (a) and
3 (b).

4 **SECTION 3.** 16.40 (24) of the statutes is created to read:

5 16.40 **(24)** Ensure performance of a duty or satisfaction of an obligation
6 transferred to the Wisconsin Housing and Economic Development Authority under
7 2011 Wisconsin Act (this act), section 9110 (1), if the Wisconsin Housing and
8 Economic Development Authority fails to perform the duty or satisfy the obligation.

 ****NOTE: The section above requires DOA to perform a duty or satisfy an obligation
transferred in this draft from Commerce to WHEDA, if WHEDA fails to perform the duty
or satisfy the obligation. Is this okay?

9 **SECTION 4.** 20.143 (2) (a) of the statutes is renumbered 20.490 (7) (a) and
10 amended to read:

11 20.490 **(7)** (a) *General program operations.* The amounts in the schedule for
12 general program operations under subch. X of ch. ~~560~~ ss. 234.5601 to 234.5615.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 5.** 20.143 (2) (b) of the statutes is renumbered 20.490 (7) (b) and
14 amended to read:

15 20.490 **(7)** (b) *Housing grants and loans; general purpose revenue.* Biennially,
16 the amounts in the schedule for grants and loans under s. ~~560.9803~~, 234.5603 and
17 for grants under s. ~~560.9805~~ and ~~2009 Wisconsin Act 28~~, section ~~9110 (12u)~~, and for
18 the grant under ~~2009 Wisconsin Act 2~~, section ~~9110 (1)~~ 234.5605.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

19 **SECTION 6.** 20.143 (2) (c) of the statutes is renumbered 20.490 (7) (c) and
20 amended to read:

1 20.490 (7) (c) *Payments to designated agents.* The amounts in the schedule for
2 payments for services provided by agents designated under s. ~~560.9804~~ 234.5604 (2),
3 in accordance with agreements entered into under s. ~~560.9804~~ 234.5604 (1).

 ****NOTE: This SECTION involves a change in an appropriation that must be
 reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 7.** 20.143 (2) (fm) of the statutes is renumbered 20.490 (7) (fm) and
5 amended to read:

6 20.490 (7) (fm) *Shelter for homeless and transitional housing grants.*
7 Biennially, the amounts in the schedule for transitional housing grants under s.
8 ~~560.9806~~ 234.5606 and for grants to agencies and shelter facilities for homeless
9 individuals and families as provided under s. ~~560.9808~~ 234.5608. Notwithstanding
10 ss. 20.001 (3) (a) and 20.002 (1), the ~~department~~ authority may transfer funds
11 between fiscal years under this paragraph.

 ****NOTE: This SECTION involves a change in an appropriation that must be
 reflected in the revised schedule in s. 20.005, stats.

12 **SECTION 8.** 20.143 (2) (fr) of the statutes is renumbered 20.490 (7) (fr) and
13 amended to read:

14 20.490 (7) (fr) *Mental health for homeless individuals.* The amounts in the
15 schedule for mental health services for homeless individuals under s. ~~560.9811~~
16 234.5611.

 ****NOTE: This SECTION involves a change in an appropriation that must be
 reflected in the revised schedule in s. 20.005, stats.

17 **SECTION 9.** 20.143 (2) (gg) of the statutes is renumbered 20.490 (7) (gg).

 ****NOTE: This SECTION involves a change in an appropriation that must be
 reflected in the revised schedule in s. 20.005, stats.

18 **SECTION 10.** 20.143 (2) (h) of the statutes is renumbered 20.490 (7) (h) and
19 amended to read:

1 20.490 (7) (h) *Funding for the homeless*. All moneys received from interest on
2 real estate trust accounts under s. 452.13 for grants under s. ~~560.9807~~ 234.5607, and
3 all moneys received under s. 704.05 (5) (a) 2., for grants to agencies and shelter
4 facilities for homeless individuals and families under s. ~~560.9808~~ 234.5608 (2) (a) and
5 (b).

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 11.** 20.143 (2) (k) of the statutes is renumbered 20.490 (7) (k) and
7 amended to read:

8 20.490 (7) (k) *Sale of materials or services*. All moneys received from the sale
9 of materials or services related to housing assistance under ~~subch. X of ch. 560 ss.~~
10 234.5601 to 234.5615 to the ~~department~~ authority or ~~other~~ to state agencies, for the
11 purpose of providing those materials and services.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

12 **SECTION 12.** 20.143 (2) (kg) of the statutes is renumbered 20.490 (7) (kg) and
13 amended to read:

14 20.490 (7) (kg) *Housing program services*. All moneys received from ~~other~~ state
15 agencies for housing program services, for the purpose of providing housing program
16 services.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

17 **SECTION 13.** 20.143 (2) (m) of the statutes is renumbered 20.490 (7) (m) and
18 amended to read:

19 20.490 (7) (m) *Federal aid; state operations*. All moneys received from the
20 federal government for state operations related to housing assistance under ~~subch.~~

1 ~~X of ch. 560 ss. 234.5601 to 234.5615~~, as authorized by the governor under s. 16.54,
2 for the purposes of state operations.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

****NOTE: Does federal law pose any obstacle to the transfer of the above appropriation to WHEDA?

3 **SECTION 14.** 20.143 (2) (n) of the statutes is renumbered 20.490 (7) (n) and
4 amended to read:

5 20.490 (7) (n) *Federal aid; local assistance.* All moneys received from the
6 federal government for local assistance related to housing assistance under subch.
7 ~~X of ch. 560 ss. 234.5601 to 234.5615~~, as authorized by the governor under s. 16.54,
8 for the purposes of providing local assistance.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

****NOTE: Does federal law pose any obstacle to the transfer of the above appropriation to WHEDA?

9 **SECTION 15.** 20.143 (2) (o) of the statutes is renumbered 20.490 (7) (o) and
10 amended to read:

11 20.490 (7) (o) *Federal aid; individuals and organizations.* All moneys received
12 from the federal government for aids to individuals and organizations related to
13 housing assistance under subch. ~~X of ch. 560 ss. 234.5601 to 234.5615~~, as authorized
14 by the governor under s. 16.54, for the purpose of providing aids to individuals and
15 organizations.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

****NOTE: Does federal law pose any obstacle to the transfer of the above appropriation to WHEDA?

16 **SECTION 16.** 20.490 (7) (title) of the statutes is created to read:

17 20.490 (7) (title) HOUSING ASSISTANCE.

18 **SECTION 17.** 23.15 (1) of the statutes is amended to read:

1 23.15 (1) The natural resources board may sell, at public or private sale, lands
2 and structures owned by the state under the jurisdiction of the department of natural
3 resources, except central or district office facilities, when the natural resources board
4 determines that ~~said~~ the lands are no longer necessary for the state's use for
5 conservation purposes and, if real property, the real property is not the subject of a
6 petition under s. ~~560.9810~~ 234.5610 (2).

7 **SECTION 18.** 50.01 (1g) (c) of the statutes is amended to read:

8 50.01 (1g) (c) A shelter facility as defined under s. ~~560.9808~~ 234.5608 (1) (d).

9 **SECTION 19.** 51.35 (5) of the statutes is amended to read:

10 51.35 (5) RESIDENTIAL LIVING ARRANGEMENTS; TRANSITIONARY SERVICES. The
11 department and any person, director, or board authorized to discharge or transfer
12 patients under this section shall ensure that a proper residential living arrangement
13 and the necessary transitionary services are available and provided for the patient
14 being discharged or transferred. Under this subsection, a proper residential living
15 arrangement may not include a shelter facility, as defined under s. ~~560.9808~~
16 234.5608 (1) (d), unless the discharge or transfer to the shelter facility is made on an
17 emergency basis for a period not to exceed 10 days.

18 **SECTION 20.** 84.09 (5) (a) of the statutes is amended to read:

19 84.09 (5) (a) Subject to pars. (b) and (c) and to the approval of the governor, the
20 department may sell at public or private sale property of whatever nature owned by
21 the state and under the jurisdiction of the department when the department
22 determines that the property is no longer necessary for the state's use for
23 transportation purposes and, if real property, the real property is not the subject of
24 a petition under s. ~~560.9810~~ 234.5610 (2). The department shall present to the
25 governor a full and complete report of the property to be sold, the reason for the sale,

1 and the minimum price for which the same should be sold, together with an
2 application for the governor's approval of the sale. The governor shall thereupon
3 make such investigation as he or she may deem necessary and approve or disapprove
4 the application. Upon such approval and receipt of the full purchase price, the
5 department shall by appropriate deed or other instrument transfer the property to
6 the purchaser. The approval of the governor is not required for public or private sale
7 of property having an appraised value at the time of sale of not more than \$15,000,
8 for the transfer of surplus state real property to the department of administration
9 under s. ~~560.9810~~ 234.5610, or for the transfer of surplus state personal property to
10 the department of tourism under sub. (5s). The funds derived from sales under this
11 subsection shall be deposited in the transportation fund, and the expense incurred
12 by the department in connection with the sale shall be paid from such fund.

13 **SECTION 21.** 84.09 (5) (b) of the statutes is amended to read:

14 84.09 (5) (b) Subject to the approval of the governor in the manner, scope, and
15 form specified in par. (a), with respect to the sale of property acquired by the
16 department for a project that is completed after May 25, 2006, the department shall,
17 and with respect to the sale of property acquired by the department for a project that
18 is completed before May 25, 2006, the department may offer for sale or transfer
19 ownership of the property that the department determines is no longer necessary for
20 the state's use for transportation purposes, if the property is not the subject of a
21 petition under s. ~~560.9810~~ 234.5610 (2). This disposition process shall take place
22 within 24 months of the completion of the transportation project for which the
23 property was acquired. Except as provided in par. (c) 3., the department shall offer
24 limited and general marketable properties at appraised value, as determined by a
25 state-certified or licensed appraiser, for not less than 12 months. If the department

1 does not sell the property at or above its appraised value, the department shall offer
2 the property for sale by means of sealed bids or public auction. For the purposes of
3 this paragraph, a project is completed when final payment is made under the
4 contract for the project.

5 **SECTION 22.** 84.09 (5r) of the statutes is amended to read:

6 84.09 (5r) In lieu of the sale or conveyance of property under sub. (5) or (5m),
7 the department may, subject to the approval of the governor, donate real property
8 that is adjacent to the veterans memorial site located at The Highground in Clark
9 County and owned by the state and under the jurisdiction of the department to the
10 Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans
11 memorial site located at The Highground in Clark County for the purpose of a
12 memorial hall specified in s. 70.11 (9). The department may donate property under
13 this subsection only when the department determines that the property is no longer
14 necessary for the state's use for transportation purposes and is not the subject of a
15 petition under s. ~~560.9810~~ 234.5610 (2) and is transferred with a restriction that the
16 donee may not subsequently transfer the real property to any person except to this
17 state, which shall not be charged for any improvements thereon. Such restriction
18 shall be recorded in the office of the register of deeds in the county in which the
19 property is located. The department shall present to the governor a full and complete
20 report of the property to be donated, the reason for the donation, and the minimum
21 price for which the property could likely be sold under sub. (5), together with an
22 application for the governor's approval of the donation. The governor shall
23 thereupon make such investigation as he or she considers necessary and approve or
24 disapprove the application. Upon such approval, the department shall by
25 appropriate deed or other instrument transfer the property to the donee. The

1 approval of the governor is not required for donation of property having an appraised
2 value at the time of donation of not more than \$15,000. Any expense incurred by the
3 department in connection with the donation shall be paid from the transportation
4 fund.

5 **SECTION 23.** 85.09 (4i) of the statutes is amended to read:

6 85.09 (4i) DISPOSAL OF RAIL PROPERTY. The department shall sell at public or
7 private sale rail property acquired under sub. (4) when the department determines
8 that the rail property is not necessary for a public purpose and, if real property, the
9 real property is not the subject of a petition under s. ~~560.9810~~ 234.5610 (2). Upon
10 receipt of the full purchase price, the department shall, by appropriate deed or other
11 instrument, transfer the rail property to the purchaser. The funds derived from sales
12 under this subsection shall be deposited in the transportation fund, and the expense
13 incurred by the department in connection with the sale shall be paid from the
14 appropriation under s. 20.395 (2) (bq). This subsection does not apply to real
15 property that is sold under s. 16.848.

16 **SECTION 24.** 114.33 (10) of the statutes is amended to read:

17 114.33 (10) Subject to the approval of the governor under this subsection, the
18 secretary may sell at public or private sale property of whatever nature owned by the
19 state and under the jurisdiction of the secretary when the secretary determines that
20 the property is no longer necessary for the state's use for airport purposes and, if real
21 property, the real property is not the subject of a petition under s. ~~560.9810~~ 234.5610.
22 The secretary shall present to the governor a full and complete report of the property
23 to be sold, the reason for the sale, and the minimum price for which the property
24 should be sold, together with an application for the governor's approval of the sale.
25 The governor shall investigate the proposed sale as he or she deems necessary and

1 approve or disapprove the application. Upon approval and receipt of the full
2 purchase price, the secretary shall by appropriate deed or other instrument transfer
3 the property to the purchaser. The funds derived from the sale shall be deposited in
4 the appropriate airport fund, and the expense incurred by the secretary in
5 connection with the sale shall be paid from that fund. This subsection does not apply
6 to real property that is sold under s. 16.848.

7 **SECTION 25.** 196.491 (2) (e) of the statutes is amended to read:

8 196.491 (2) (e) Any state agency, as defined in s. ~~560.9810~~ 234.5610 (1), county,
9 municipality, town, or person may submit written comments to the commission on
10 a strategic energy assessment within 90 days after copies of the draft are issued
11 under par. (b).

12 **SECTION 26.** 234.034 of the statutes is amended to read:

13 **234.034 Consistency with state housing strategy plan.** Subject to
14 agreements with bondholders or noteholders, the authority shall exercise its powers
15 and perform its duties related to housing consistent with the state housing strategy
16 plan under s. ~~560.9802~~ 234.5602.

17 **SECTION 27.** 234.06 (1) of the statutes is amended to read:

18 234.06 (1) The authority may, as authorized in the state housing strategy plan
19 under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund
20 to make temporary loans to eligible sponsors, with or without interest, and with such
21 security for repayment, if any, as the authority determines reasonably necessary and
22 practicable, solely from the housing development fund, to defray development costs
23 for the construction of proposed housing projects for occupancy by persons and
24 families of low and moderate income. No temporary loan may be made unless the

1 authority may reasonably anticipate that satisfactory financing may be obtained by
2 the eligible sponsor for the permanent financing of the housing project.

3 **SECTION 28.** 234.06 (3) of the statutes is amended to read:

4 234.06 (3) The authority may, as authorized in the state housing strategy plan
5 under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund
6 to establish and administer programs of grants to counties, municipalities, and
7 eligible sponsors of housing projects for persons of low and moderate income, to pay
8 organizational expenses, administrative costs, social services, technical services,
9 training expenses, or costs incurred or expected to be incurred by counties,
10 municipalities, or sponsors for land and building acquisition, construction,
11 improvements, renewal, rehabilitation, relocation, or conservation under a plan to
12 provide housing or related facilities, if the costs are not reimbursable from other
13 private or public loan, grant, or mortgage sources.

14 **SECTION 29.** 234.165 (2) (b) 2. of the statutes is amended to read:

15 234.165 (2) (b) 2. Annually before August 31 the authority shall submit to the
16 governor a plan for expending or encumbering the actual surplus reported under
17 subd. 1. The part of the plan related to housing shall be consistent with the state
18 housing strategy plan under s. ~~560.9802~~ 234.5602. The plan submitted under this
19 subdivision may be attached to and submitted as a part of the report filed under subd.
20 1.

21 **SECTION 30.** 234.25 (1) (e) of the statutes is amended to read:

22 234.25 (1) (e) An evaluation of its progress in implementing within its own
23 housing programs the goals, policies, and objectives of the state housing strategy
24 plan under s. ~~560.9802~~ 234.5602, and recommendations for legislation to improve its
25 ability to carry out its programs consistent with the state housing strategy plan.

1 **SECTION 31.** 256.35 (3m) (h) of the statutes is amended to read:

2 256.35 (3m) (h) *Other charges prohibited.* No local government or state agency,
3 as defined in s. ~~560.9810~~ 234.5610 (1), except the commission, may require a wireless
4 provider to collect or pay a surcharge or fee related to wireless emergency telephone
5 service.

6 **SECTION 32.** 452.13 (2) (b) 3. of the statutes is amended to read:

7 452.13 (2) (b) 3. Furnish the department of regulation and licensing with a
8 letter authorizing the department of regulation and licensing and the ~~department~~
9 ~~of commerce~~ Wisconsin Housing and Economic Development Authority to examine
10 and audit the interest-bearing common trust account whenever the department of
11 regulation and licensing or the ~~department of commerce~~ Wisconsin Housing and
12 Economic Development Authority considers it necessary.

 ****NOTE: The above section transfers from Commerce to WHEDA the authority to
examine and audit real estate brokers' interest-bearing trust accounts. Is this okay, or
should the examination/audit authority be limited to the successor to DRL? Also note
that the Department of Regulation and Licensing name-change is included in a separate
bill draft; when the drafts are compiled, we will at that point resolve any inconsistencies.

13 **SECTION 33.** 452.13 (2) (bm) of the statutes is amended to read:

14 452.13 (2) (bm) The department of regulation and licensing shall forward to the
15 ~~department of commerce~~ Wisconsin Housing and Economic Development Authority
16 the information and documents furnished under par. (b).

17 **SECTION 34.** 452.13 (2) (d) of the statutes is amended to read:

18 452.13 (2) (d) The ~~department of commerce~~ Wisconsin Housing and Economic
19 Development Authority is the beneficial owner of the interest accruing to the
20 interest-bearing common trust account, minus any service charges or fees.

21 **SECTION 35.** 452.13 (2) (e) 1. of the statutes is amended to read:

1 452.13 (2) (e) 1. Annually, before February 1, remit to the ~~department of~~
2 ~~commerce~~ Wisconsin Housing and Economic Development Authority the total
3 interest or dividends, minus service charges or fees, earned on the average daily
4 balance in the interest-bearing common trust account during the 12 months ending
5 on the previous December 31. A depository institution is not required to remit any
6 amount if the total interest or dividends for that period is less than \$10 before any
7 deduction for service charges or fees.

8 **SECTION 36.** 452.13 (2) (e) 2. of the statutes is amended to read:

9 452.13 (2) (e) 2. When the interest remittance is sent, furnish to the
10 ~~department of commerce~~ Wisconsin Housing and Economic Development Authority
11 and to the broker maintaining the interest-bearing common trust account a
12 statement that includes the name of the broker for whose account the remittance is
13 made, the rate of interest applied, the amount of service charges or fees deducted,
14 if any, and the account balance for the period that the statement covers.

15 **SECTION 37.** 452.13 (2) (f) 2. of the statutes is amended to read:

16 452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing
17 common trust account against the ~~department of commerce~~ Wisconsin Housing and
18 Economic Development Authority.

19 **SECTION 38.** 452.13 (2) (f) 3. of the statutes is amended to read:

20 452.13 (2) (f) 3. May deduct a service charge or fee from the interest earned by
21 an interest-bearing common trust account, and if a balance remains, may deduct the
22 remaining charge or fee from the interest earned on any other interest-bearing
23 common trust account maintained in that depository institution, before remitting
24 interest to the ~~department of commerce~~ Wisconsin Housing and Economic
25 Development Authority.

1 **SECTION 39.** 452.13 (5) of the statutes is amended to read:

2 452.13 (5) RULES. In consultation with the ~~department of regulation and~~
3 ~~licensing, the department of commerce~~ Wisconsin Housing and Economic
4 Development Authority, the department of safety and professional services shall
5 promulgate rules necessary to administer this section.

 ****NOTE: Because WHEDA, as an authority, may not promulgate rules, the above
 section transfers rule-making authority to the Department of Safety and Professional
 Services, which must consult with WHEDA. Is this okay?

6 **SECTION 40.** 560.9801 of the statutes is renumbered 234.5601, and 234.5601

7 (2) (a), as renumbered, is amended to read:

8 234.5601 (2) (a) A housing authority organized under s. 59.53 (22), 61.73,
9 66.1201, or 66.1213 or ~~ch. 234~~ this chapter.

10 **SECTION 41.** 560.9802 of the statutes is renumbered 234.5602, and 234.5602

11 (1) (a) and (b), (3) and (4), as renumbered, are amended to read:

12 234.5602 (1) (a) The ~~department~~ authority shall prepare a comprehensive
13 5-year state housing strategy plan. The ~~department~~ authority shall submit the plan
14 to the federal department of housing and urban development.

15 (b) In preparing the plan, the ~~department~~ authority may obtain input from
16 housing authorities, community-based organizations, the private housing industry
17 and others interested in housing assistance and development.

18 (3) The ~~department~~ authority shall annually update the state housing strategy
19 plan.

20 (4) Before October 1 of each year, the ~~department~~ authority shall submit the
21 state housing strategy plan to the governor and to the chief clerk of each house of the
22 legislature for distribution to the legislature under s. 13.172 (2).

1 **SECTION 42.** 560.9803 of the statutes is renumbered 234.5603, and 234.5603
2 (1) (intro.) and (a), (2) (intro.) and (e) 7. and (3), as renumbered, are amended to read:

3 234.5603 (1) (intro.) The ~~department~~ authority shall do all of the following:

4 (a) Subject to sub. (2), make grants or loans, directly or through agents
5 designated under s. ~~560.9804~~ 234.5604, from the appropriation under s. ~~20.143 (2)~~
6 20.490 (7) (b) to persons or families of low or moderate income to defray housing costs
7 of the person or family.

8 (2) (intro.) In connection with grants and loans under sub. (1), the ~~department~~
9 authority shall do all of the following:

10 (e) 7. Other persons or families that the ~~department~~ authority determines have
11 particularly severe housing problems.

12 (3) (a) The ~~department~~ authority may make grants or loans under sub. (1) (a)
13 directly or through agents designated under s. ~~560.9804~~ 234.5604.

14 (b) The ~~department~~ authority may administer and disburse funds from a grant
15 or loan under sub. (1) (a) on behalf of the recipient of the grant or loan.

16 **SECTION 43.** 560.9804 of the statutes is renumbered 234.5604, and 234.5604
17 (1) and (2) (intro.), as renumbered, are amended to read:

18 234.5604 (1) The ~~department~~ authority may enter into an agreement with an
19 agent designated under sub. (2) to allow the designated agent to do any of the
20 following:

21 (a) Award grants and loans under s. ~~560.9803~~ 234.5603 (1) and (2) subject to
22 the approval of the ~~department~~ authority.

23 (b) Disburse the funds for grants and loans to persons or families of low or
24 moderate income on terms approved by the ~~department~~ authority.

1 (c) On terms approved by the ~~department~~ authority, administer and disburse
2 funds from a grant or loan under s. ~~560.9803~~ 234.5603 on behalf of the recipient of
3 the grant or loan.

4 (2) (intro.) The ~~department~~ authority may designate any of the following as
5 agents:

6 **SECTION 44.** 560.9805 of the statutes is renumbered 234.5605, and 234.5605
7 (1) (intro.), (2) (intro.) and (c) (intro.) and (4), as renumbered, are amended to read:

8 234.5605 (1) (intro.) The ~~department~~ authority may make grants to a
9 community-based organization, organization operated for profit, or housing
10 authority to improve the ability of the community-based organization, organization
11 operated for profit, or housing authority to provide housing opportunities, including
12 housing-related counseling services, for persons or families of low or moderate
13 income. The grants may be used to partially defray any of the following:

14 (2) (intro.) The ~~department~~ authority may not make a grant under sub. (1)
15 unless all of the following apply:

16 (c) (intro.) The ~~department~~ authority determines that the grant to the
17 particular community-based organization, organization operated for profit, or
18 housing authority is appropriate because of any of the following:

19 (4) To ensure the development of housing opportunities, the ~~department~~
20 authority shall coordinate the use of grants provided under this section with projects
21 undertaken by housing authorities, organizations operated for profit, and
22 community-based organizations.

23 **SECTION 45.** 560.9806 (1), (2) and (3) of the statutes are renumbered 234.5606
24 (1), (2) and (3), and 234.5606 (2) (a) and (3) (intro.) and (d), as renumbered, are
25 amended to read:

1 234.5606 (2) (a) From the appropriation under s. ~~20.143 (2)~~ 20.490 (7) (fm), the
2 ~~department~~ authority may award a grant to an eligible applicant for the purpose of
3 providing transitional housing and associated supportive services to homeless
4 individuals and families if the conditions under par. (b) are satisfied. The
5 ~~department~~ authority shall ensure that the funds for the grants are reasonably
6 balanced among geographic areas of the state, consistent with the quality of
7 applications submitted.

8 (3) (intro.) Each recipient of a grant under this section shall annually provide
9 all of the following information to the ~~department~~ authority:

10 (d) Any other information that the ~~department~~ authority determines to be
11 necessary to evaluate the effectiveness of the transitional housing program operated
12 by the recipient.

13 **SECTION 46.** 560.9806 (4) of the statutes is repealed.

 ***NOTE: The above section repeals, rather than rennumbers, a requirement that
Commerce submit a specified report before July 1, 1993.

14 **SECTION 47.** 560.9807 of the statutes is renumbered 234.5607 and amended to
15 read:

16 **234.5607 Grants to alleviate homelessness. (1) GRANTS.** From moneys
17 available under s. ~~20.143 (2)~~ 20.490 (7) (h), the ~~department~~ authority shall make
18 grants to organizations, including organizations operated for profit, that provide
19 shelter or services to homeless individuals or families.

20 **(2) SUPPLEMENTAL FUNDS.** The ~~department~~ authority shall ensure that grants
21 awarded under sub. (1) are not used to supplant other state funds available for
22 homelessness prevention or services to homeless individuals or families.

1 (2m) REPORT. Annually, the ~~department~~ authority shall submit a report to the
2 speaker of the assembly, the president of the senate and to the appropriate standing
3 committees under s. 13.172 (3) that summarizes how much money was received in
4 the previous year and how that money was distributed.

5 (3) RULES. The ~~department~~ authority shall ~~promulgate~~ adopt rules
6 establishing procedures and eligibility criteria for grants under this section.

7 **SECTION 48.** 560.9808 of the statutes is renumbered 234.5608, and 234.5608
8 (2) (a) and (b) (intro.), (3) (b), (3m), (4) (intro.) and (5) (intro.), as renumbered, are
9 amended to read:

10 234.5608 (2) (a) From the appropriations under s. ~~20.143 (2)~~ 20.490 (7) (fm) and
11 (h), the ~~department~~ authority shall award grants to eligible applicants for the
12 purpose of supplementing the operating budgets of agencies and shelter facilities
13 that have or anticipate a need for additional funding because of the renovation or
14 expansion of an existing shelter facility, the development of an existing building into
15 a shelter facility, the expansion of shelter services for homeless persons, or an
16 inability to obtain adequate funding to continue the provision of an existing level of
17 services.

18 (b) (intro.) The ~~department~~ authority shall allocate funds from the
19 appropriations under s. ~~20.143 (2)~~ 20.490 (7) (fm) and (h) for temporary shelter for
20 homeless individuals and families as follows:

21 (3) (b) Applications shall be submitted in the form required by the ~~department~~
22 authority and shall be accompanied by the current or proposed operating budget or
23 both, as required by the ~~department~~ authority, of each shelter facility or agency
24 ~~which~~ that will, directly or indirectly, receive any of the grant money, and an

1 explanation of why the shelter facility or agency has or anticipates a need for
2 additional funding.

3 (3m) GRANT ELIGIBILITY. In awarding grants under this section, the ~~department~~
4 authority shall consider whether the community in which an eligible applicant
5 provides services has a coordinated system of services for homeless individuals and
6 families.

7 (4) (intro.) ~~RULE-MAKING~~ RULES REQUIRED. The ~~department~~ authority shall
8 ~~promulgate by rule~~ adopt rules establishing both of the following:

9 (5) (intro.) PROHIBITED USES. The ~~department~~ authority may not provide a grant
10 for any of the following purposes:

11 **SECTION 49.** 560.9809 of the statutes is renumbered 234.5609, and 234.5609
12 (1), (2) and (3) (intro.), as renumbered, are amended to read:

13 234.5609 (1) The ~~department~~ authority may administer housing programs,
14 including the housing improvement grant program and the initial rehabilitation
15 grant program, that are funded by a community development block grant, 42 USC
16 5301 to 5320.

****NOTE: Does the above authorization, involving federal block grant funding,
make sense if transferred to WHEDA?

17 (2) The ~~department~~ authority may ~~promulgate~~ adopt rules to administer this
18 section.

19 (3) (intro.) Notwithstanding sub. (2), the ~~department~~ authority shall
20 ~~promulgate~~ adopt rules that specify that an applicant for funds under a program
21 under this section shall be eligible to receive funds under the program in the year
22 following the year for which the applicant submits an application, without having to
23 submit another application for that following year, if all of the following apply:

1 **SECTION 50.** 560.9810 (1), (2), (3) and (4) of the statutes are renumbered
2 234.5610 (1), (2), (3) and (4), and 234.5610 (2), (3) and (4), as renumbered, are
3 amended to read:

4 234.5610 (2) **TRANSFER OF REAL PROPERTY TO THE ~~DEPARTMENT~~ AUTHORITY** (a) The
5 ~~department~~ authority shall petition the head of any state agency having jurisdiction
6 over real property that the ~~department~~ authority determines to be suitable for
7 surplus.

8 (b) The head of the state agency having jurisdiction over the real property shall
9 notify the ~~department~~ authority in writing whether or not the state agency considers
10 the real property to be surplus.

11 (c) If the state agency considers the real property to be surplus, and if the
12 ~~department~~ authority determines that the real property is suitable ~~by~~, the state
13 agency shall transfer the real property, without payment, to the ~~department~~
14 authority for purposes of transfer to an applicant under sub. (3).

15 **(3) TRANSFER OF REAL PROPERTY.** The ~~department~~ authority may transfer real
16 property obtained under sub. (2) to an applicant under a written agreement that
17 includes a provision that the applicant agrees to pay the department an amount to
18 utilize the real property in conformance with the agreement.

19 **(4) RECORDING.** The ~~department~~ authority shall record the agreement under
20 sub. (3) in the office of the register of deeds for the county in which the real property
21 subject to the agreement is located.

22 ****NOTE: Should the above provisions be retained? Is the transfer of surplus state
 property to an authority permitted under current law?

SECTION 51. 560.9810 (5) of the statutes is repealed.

 ****NOTE: The above section repeals, rather than renumbers, an exemption that
 applies to state property that DOA has determined it is in the state's best interest to be
 sold. Should the exemption be retained or modified instead?

1 **SECTION 52.** 560.9811 of the statutes is renumbered 234.5611, and 234.5611 (2),
2 as renumbered, is amended to read:

3 234.5611 (2) From the appropriation under s. ~~20.143 (2)~~ 20.490 (7) (fr), the
4 ~~department authority~~ may not award more than \$45,000 in each fiscal year to
5 applying public or nonprofit private entities for the costs of providing certain mental
6 health services to homeless individuals with serious and persistent mental illness.
7 Entities that receive funds awarded by the ~~department authority~~ under this
8 subsection shall provide the mental health services required under 42 USC
9 290cc-24. The amount that the ~~department authority~~ awards to an applying entity
10 may not exceed 50% of the amount of matching funds required under 42 USC
11 290cc-23.

 ****NOTE: Does federal law pose any obstacle to the transfer of the above
requirement to WHEDA?

12 **SECTION 53.** 560.9815 of the statutes is renumbered 234.5615 and amended to
13 read:

14 **234.5615 Federal housing assistance programs.** Notwithstanding s. 16.54
15 (2) (a), the ~~department authority~~ shall administer federal funds made available to
16 this state under the Stewart B. McKinney homeless assistance act housing
17 assistance programs, 42 USC 11361 to 11402.

 ****NOTE: Does federal law pose any obstacle to the transfer of the above
requirement to WHEDA?

18 **SECTION 54.** 704.05 (5) (a) 2. of the statutes is amended to read:

19 704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail
20 addressed to the tenant's last-known address, of the landlord's intent to dispose of
21 the personal property by sale or other appropriate means if the property is not
22 repossessed by the tenant. If the tenant fails to repossess the property within 30 days

1 after the date of personal service or the date of the mailing of the notice, the landlord
2 may dispose of the property by private or public sale or any other appropriate means.
3 The landlord may deduct from the proceeds of sale any costs of sale and any storage
4 charges if the landlord has first stored the personalty under subd. 1. If the proceeds
5 minus the costs of sale and minus any storage charges are not claimed within 60 days
6 after the date of the sale of the personalty, the landlord is not accountable to the
7 tenant for any of the proceeds of the sale or the value of the property. The landlord
8 shall send the proceeds of the sale minus the costs of the sale and minus any storage
9 charges to the department of administration for deposit in the appropriation under
10 s. ~~20.143 (2)~~ 20.490 (7) (h).

11 **SECTION 55.** 961.01 (20g) of the statutes is amended to read:

12 961.01 **(20g)** "Public housing project" means any housing project or
13 development administered by a housing authority, as defined in s. ~~560.9801~~ 234.5601
14 (2).

15 **SECTION 9110. Nonstatutory provisions; Commerce.**

16 (1) HOUSING ASSISTANCE TRANSFER.

17 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
18 liabilities of the department of commerce primarily related to the functions of the
19 department under subchapter X of chapter 560, 2009 stats., as determined by the
20 secretary of administration, shall become the assets and liabilities of the Wisconsin
21 Housing and Economic Development Authority.

22 (b) *Tangible personal property.* On the effective date of this paragraph, all
23 tangible personal property, including records, of the department of commerce that
24 is primarily related to the functions of the department under subchapter X of chapter

1 560, 2009 stats., as determined by the secretary of administration, is transferred to
2 the Wisconsin Housing and Economic Development Authority.

3 (c) *Contracts.* All contracts entered into by the department of commerce in
4 effect on the effective date of this paragraph that are primarily related to the
5 functions of the department under subchapter X of chapter 560, 2009 stats., as
6 determined by the secretary of administration, remain in effect and are transferred
7 to the Wisconsin Housing and Economic Development Authority. The Wisconsin
8 Housing and Economic Development Authority shall carry out any obligations under
9 such a contract until the contract is modified or rescinded by the Wisconsin Housing
10 and Economic Development Authority to the extent allowed under the contract.

11 (END)